

REMARKS

Claims 19-22 have been copied verbatim from U.S. Pat. No. 6,766,536 issued to Martha I. Aarons on July 27, 2004. Claims 19-22 correspond to Aaron's Claims 1, 2, 3, and 9, respectively. Proposed Counts 1-4 correspond to Patentee's Claims 1, 2, 3, and 9 as well as to Applicant's Claims 19-22. Applicant submits that the attached Declaration and included documentary evidence is sufficient to entitle her to a judgment relative to the Patentee based on priority of invention. Applicant further submits that, if an interference is declared and if so needed, Applicant will present a Priority Statement under 34 CFR §41.204(a) along with at least one corroborating witness declaration and corroborating documentary evidence in order to further establish her entitlement to judgment on priority.

Respectfully submitted,

*Veronica-Adele R. Cao*

Veronica-Adele R. Cao  
Reg. No. 52,694  
Attorney for Applicant

Weiss, Moy & Harris, PC  
4204 N. Brown Ave.  
Scottsdale, AZ 85251

## **Exhibit A**

# The Yoga-Grip

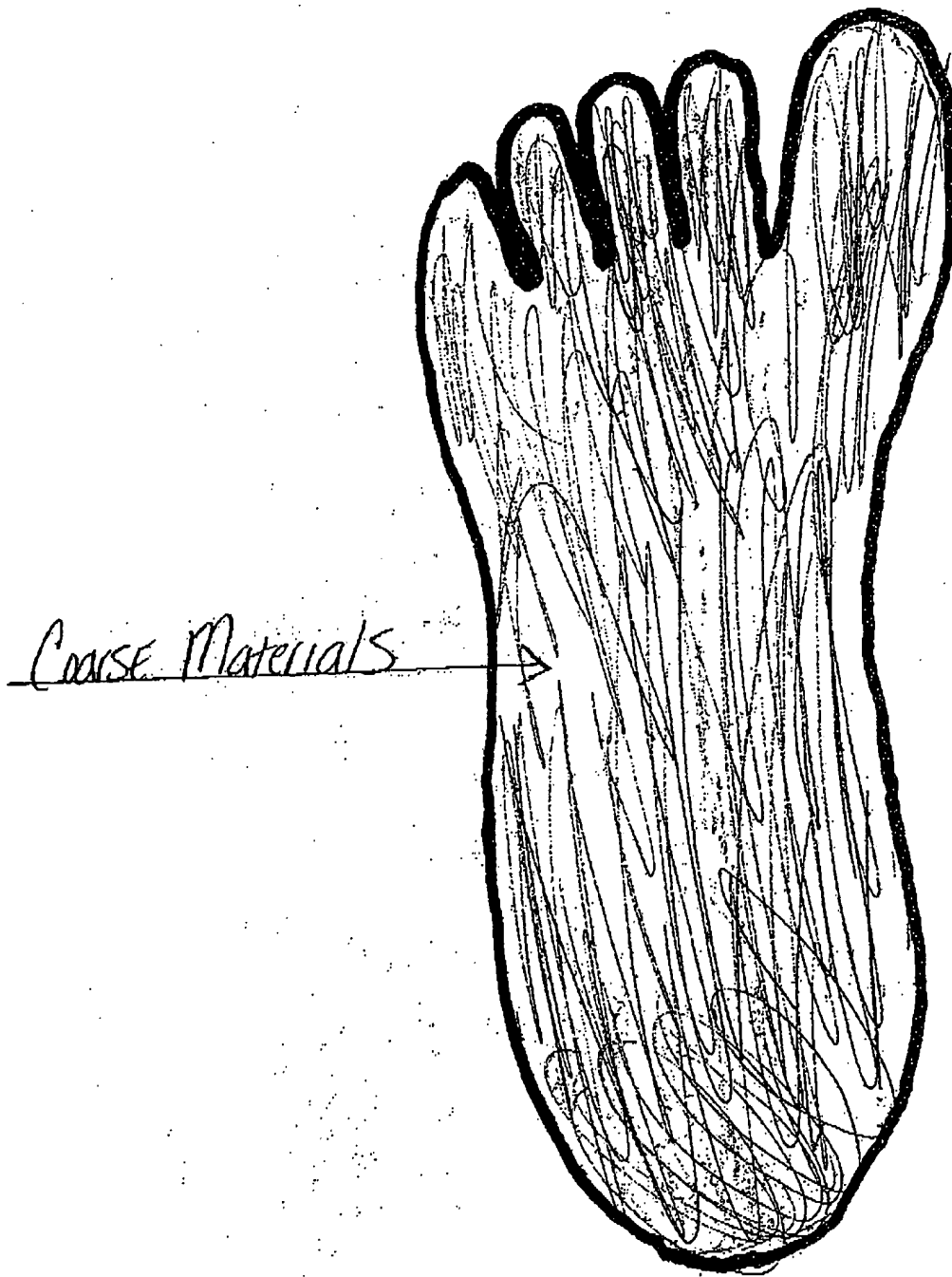
The Yoga-Grip is a new and innovative tool to help maximize the benefits of yoga. The main purpose of the Yoga-Grip is to prevent dangerous slipping from sweat saturated hands, feet, and yoga mats. Yoga-Grips are state-of-the-art booties and gloves intended to be worn on the feet and hands respectively. Both the bootie and glove are made of stretchy, breathable cotton-lycra fabric, and are intended to fit like a second skin. The bottoms of the bootie and glove are lined with a thin, coarse, almost sand papery substance. Ventilation holes located on the top of both the bootie and glove help to promote proper circulation during use. The cotton/lycra material used for the top the Yoga-Grip acts like a sponge, soaking up sweat, while still allowing the skin to breathe. The unique bottom, or soles and palms of the Yoga-Grip is KEY to this new tool. The coarse material is unaffected by moisture, allowing it to gently grab and secure itself to slick mats. Slipping is eliminated, promoting safer and proper pose alignment. And The Yoga-Grip provides many other benefits as well. The booties and gloves protect the body from germs and bacteria that breed on yoga mats, and help warm-up the body before practice. Yoga-Grips come in four unisex sizes to ensure proper fit. Small, medium, large, and extra large. The Yoga Grip is also hand washable and inexpensive. So what are you waiting for? Don't risk injury with slippery mats or unstable towels, the Yoga-Grip is ready to help your yoga practice become perfect.

INVENTOR: Judy-Lynne Alley

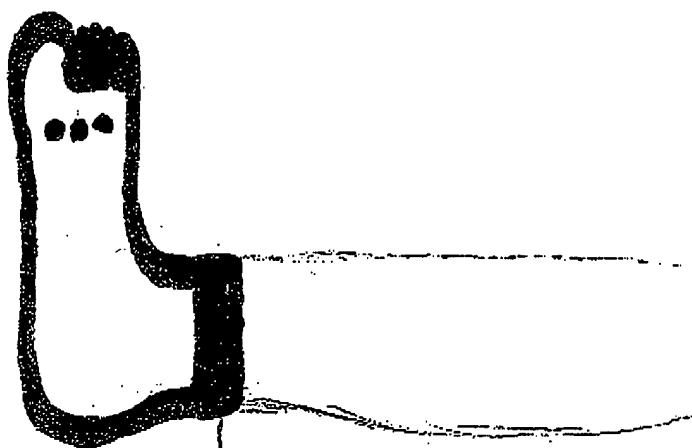
DATE:

PHONE: 480-659-4100 (HM)  
480-203-6657 (cell)

# BOTTOM SIDE OF THE "YOGA-GRIP" BOOTIE

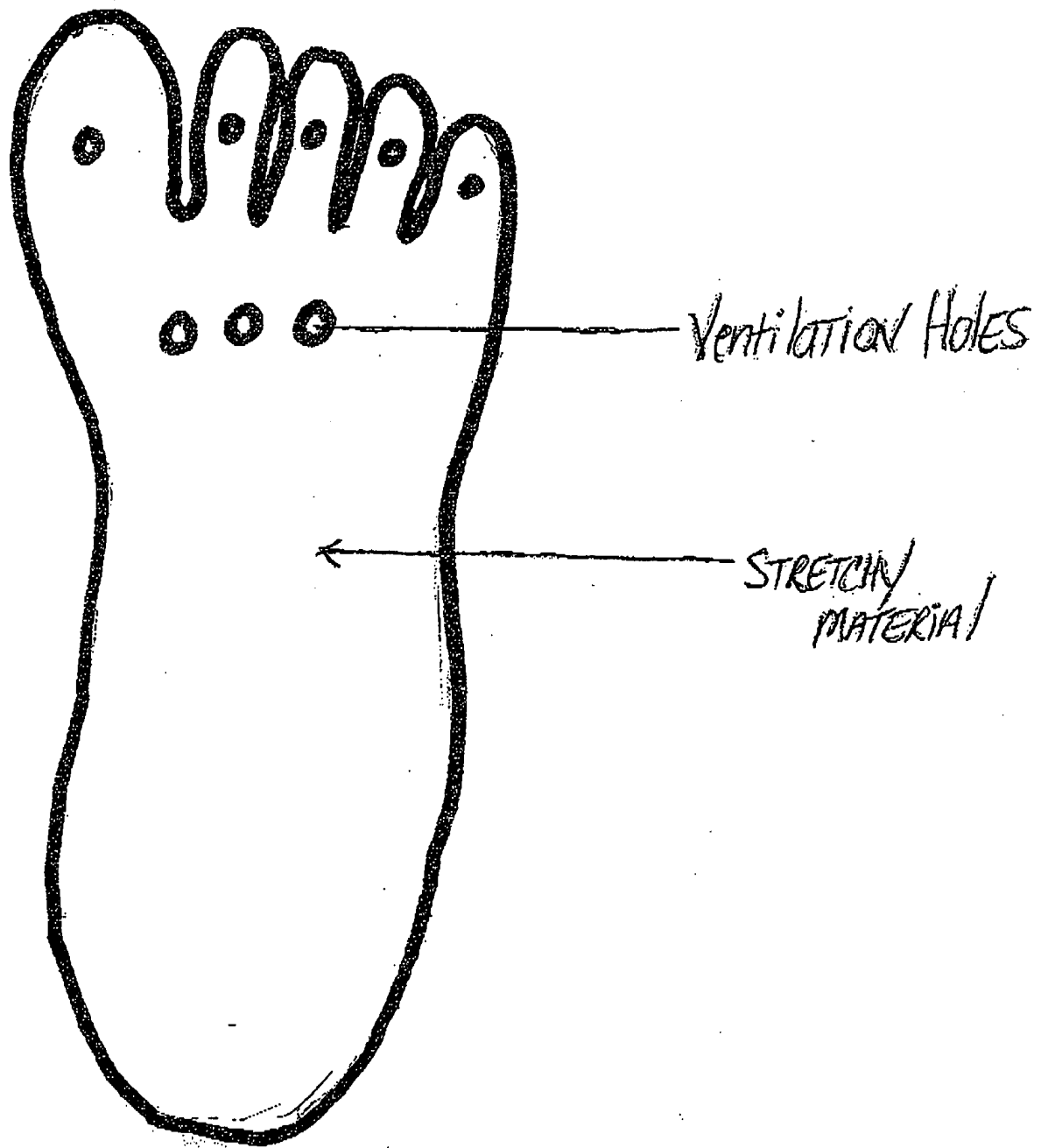


Side view of "Hem-Grip" Prototype

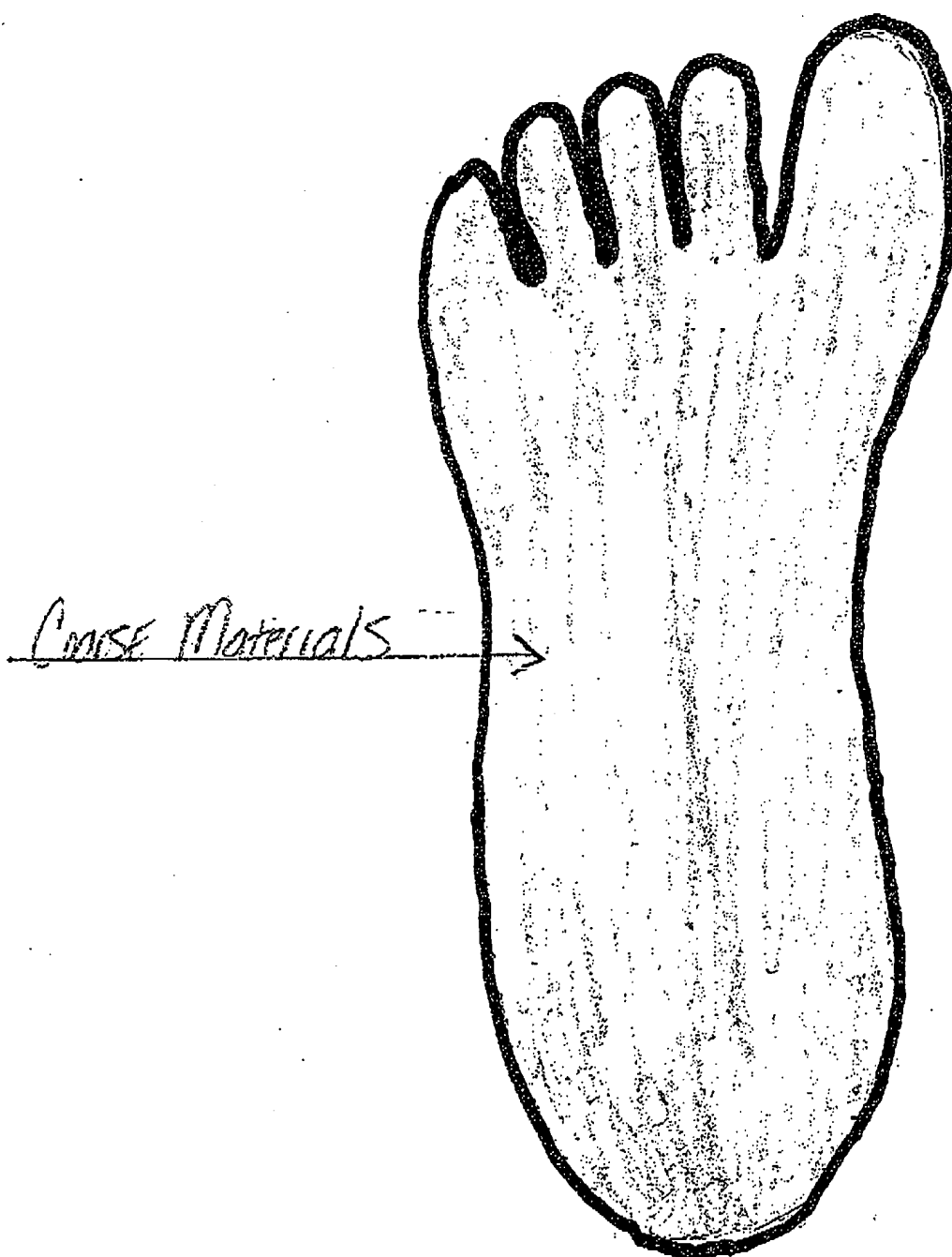


→ TIGHT BWA  
To Hold BWA  
IN PLACE

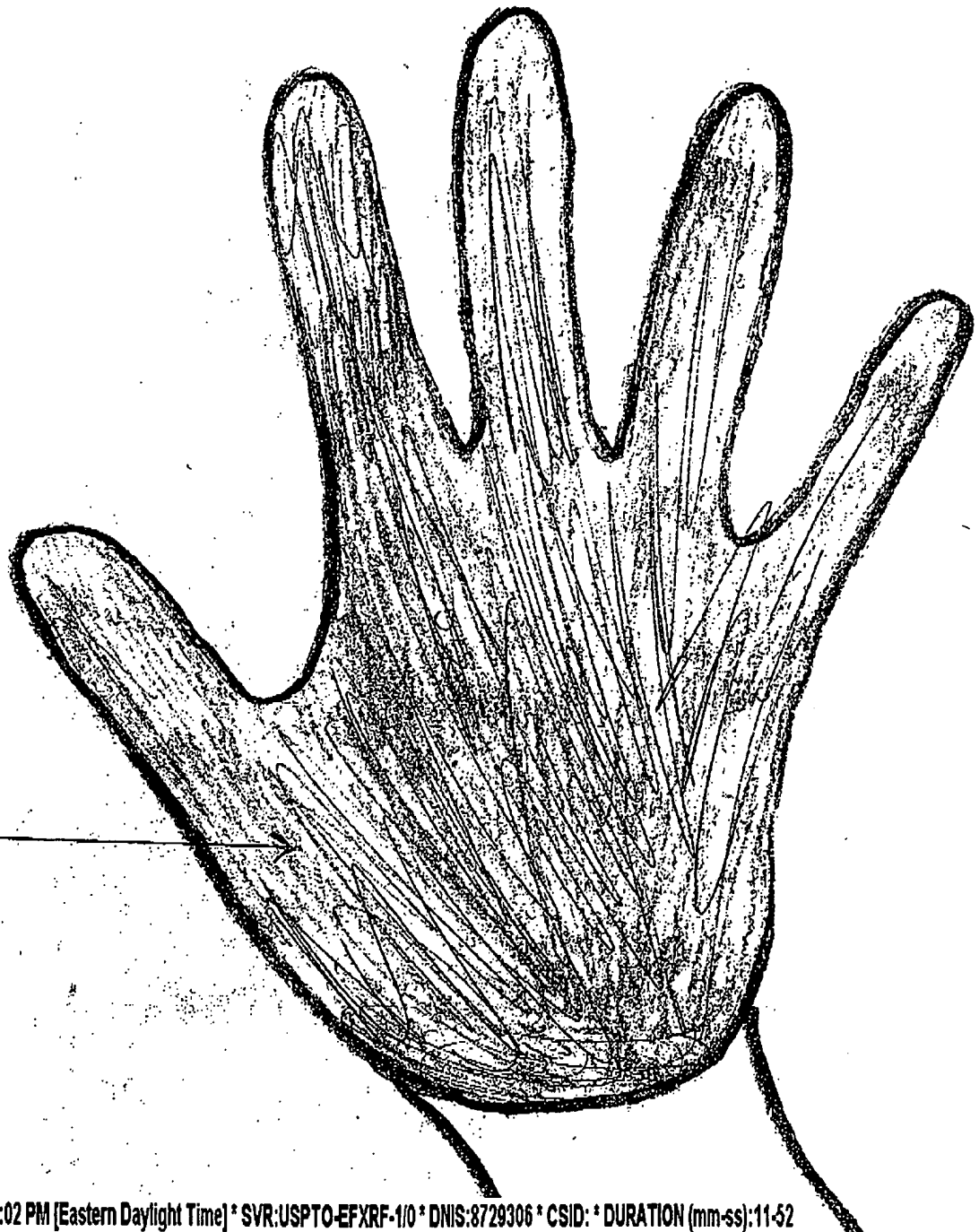
# TOP OF THE "YOGA-GRID" BOOTIE



# BOTTOM SIDE OF THE "YOGA-GRIP" BOOTIE



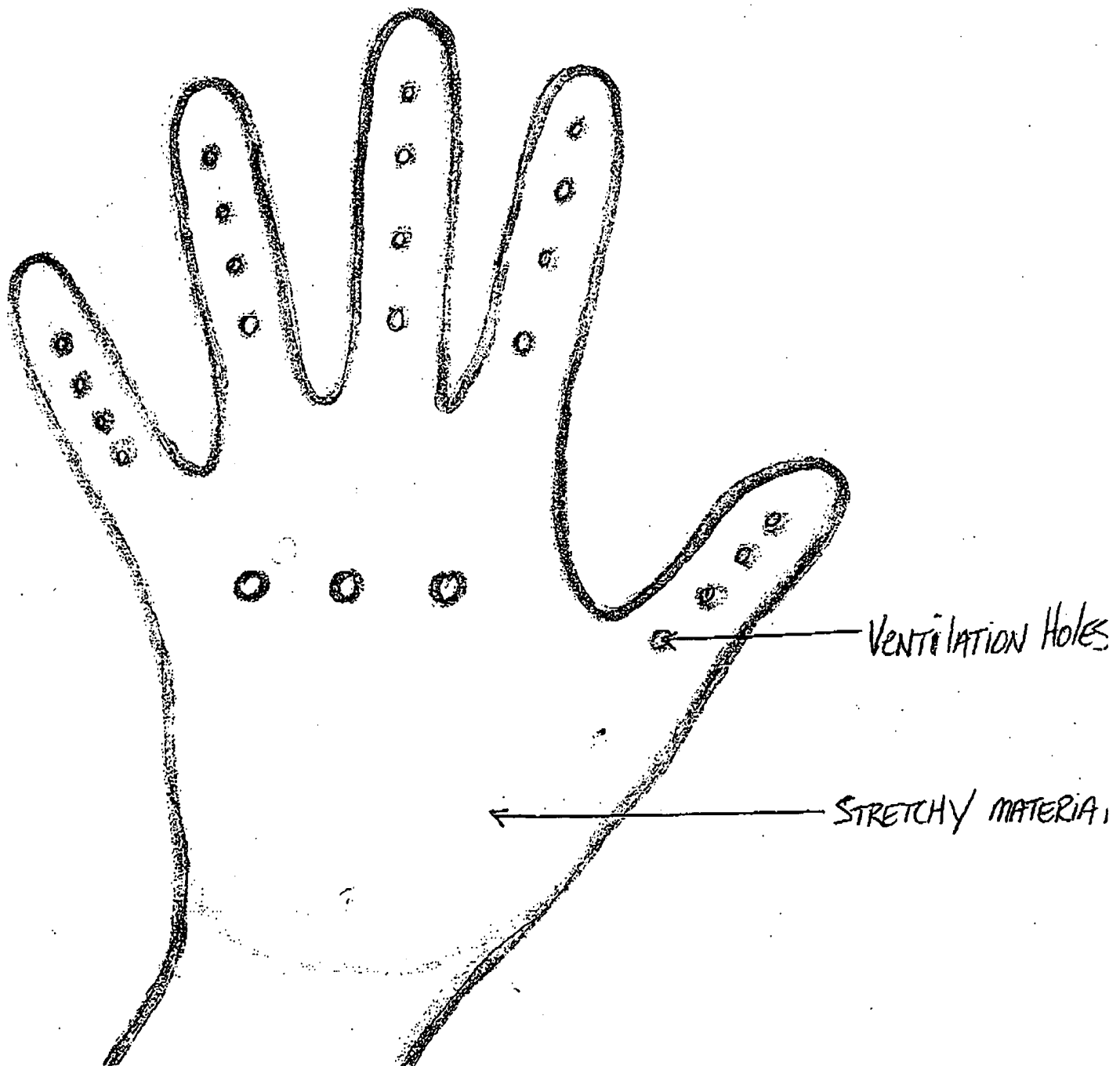
BOTTOM SIDE of "YOGA-GRID" GLOVE



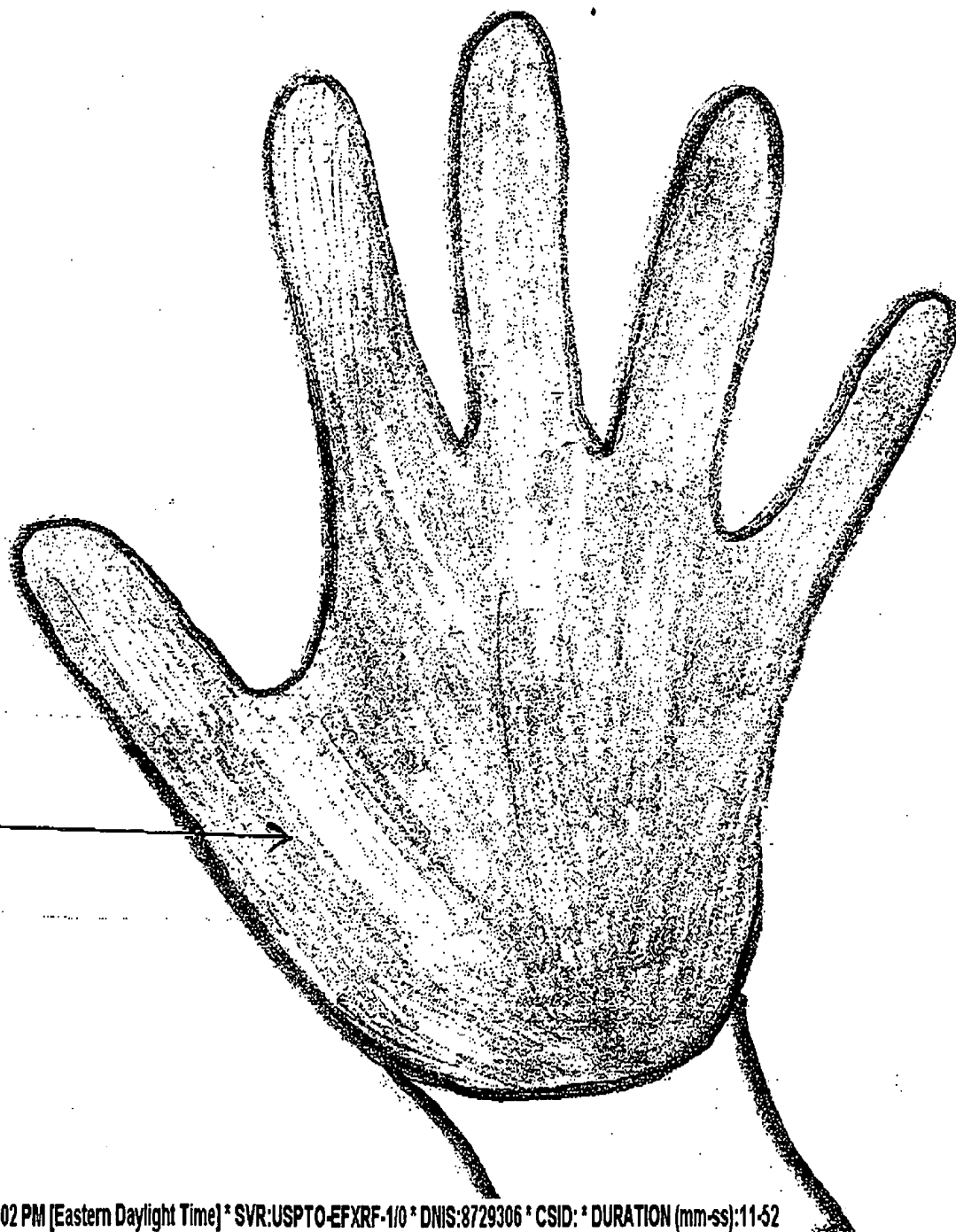
COARSE MATERIAL



# TOP SIDE OF "YOGA-GRIP" GLOVE



# BOTTOM SIDE OF "YOGA-GRID" GLOVE



COARSE MATERIAL

## **Exhibit B**

JOURNEY  
Intellectual property development

Ms. Judy Alley  
7575 E. Indian Bend Road # 2082  
Scottsdale, Arizona 85250-4668

Re: Yoga Glove and Booties

Dear Judy,

Per your request, we have conducted a patentability search on the Yoga Glove and Booties.

Briefly stated, your invention consists of a glove and booties that prevent slippage while practicing Yoga.

We have located 100 patents using the word Yoga. The following patents are the most closely related. Patent number 5,617,585 concerns a rubberized soled slipper sock but does not have any Yoga implications. Patent Application number 2002/0132086 allows for a sweat-absorbing non-slip pad. However, we have not located a Yoga glove or Yoga booties.

The following patents were located during this search and full copies are enclosed. They show the closest prior art found.

Patent No.	Name	Patent No.	Name
2002/0132086 (app)	Su-Tuan	6,387,013	Marquez
6,368,255	Chan-Rouse	5,617,585	Fons et al.
4,469,326	Gin	4,451,034	Gin
4,307,880	Abram	Dcs 389,642	Nadel

Please review these patents carefully to analyze any further distinctions your device may have over any other cited prior art.

The search was conducted by search engine primarily in classes: 2/158, 159, 161.1, 161.6 and 482/23, 23, 49, 124, 148.

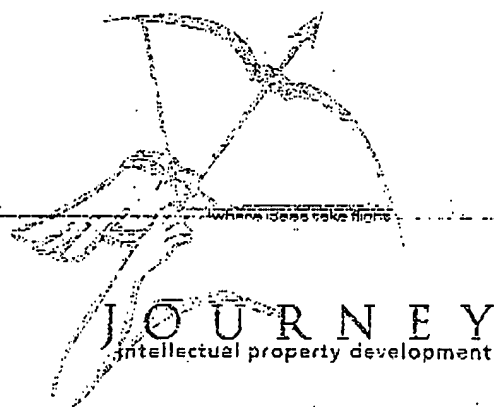
Please be advised that the classification system of the United States Patent and Trademark Office (USPTO) does not always classify a pertinent disclosure in any given searched category, nor do all search systems perform perfectly. The possibility exists that Patents may be overlooked due to circumstances beyond our control. In addition, the United States patent system currently includes more than 6 million Patents which are classified and cross-classified within one or more of over 100,000 classification areas. Over one thousand federal patent examiners may be involved in the classification process and their opinions differ as to the proper areas of classification. It is therefore difficult to be more than reasonably certain that the most pertinent prior art has been located and there is no guarantee that a patent search is ever totally complete. Journey IPD cannot and does not claim to predict the actions of the USPTO and there is no way to guarantee the issuance of a patent.

Thank you again for the opportunity to review your products. Please review the existing information and call if you have any further questions or concerns.

Sincerely,



Michael Rasmussen  
Vice President  
Journey Intellectual Property Development, LLC.



Ms. Judy Alley  
7575 E. Indian Bend Rd., Apt. 2082  
Scottsdale, AZ 85250-4668

**Re: Yoga Glove Grip and Sock**

Dear Judy,

We are pleased to have the opportunity to review the Yoga Glove Grip and Sock product. Below are a brief market review and our assessment of the potential market opportunity for the Yoga Glove Grip and Sock. The market for yoga products and services is growing rapidly and there seems to be a clear need for slippage and traction problems practitioners experience while exercising.

**The Market**

Yoga first arrived in the United States with Swami Vivekananda's historic visit to Chicago in 1893. Since 1994 the number of yoga practitioners in the U.S. has doubled, and after a little more than 100 years since its introduction, the U.S. yoga market is estimated to have 18-20 million practitioners.

Most of these are affluent baby boomers who drive the wider \$230 billion market in healthy, environmentally friendly products. An article in the Yoga Journal magazine titled "Yoga Inc." estimated that the yoga industry accounts for as much as \$27 billion in annual sales (Nov. 2002). The yoga market includes everything from classes to yoga cruises, vacations, conferences, videos, music, books, clothing, accessories, and other supplies.

Yoga Journal magazine, a Berkeley-based bimonthly publication, takes in an estimated \$11 million in annual revenue. In the last four years its paid circulation has tripled from

90,000 to 300,000, with 950,000 monthly readers. Its ad revenue has skyrocketed while the rest of the magazine industry slumps.

According to the 7<sup>th</sup> Annual IDEA Fitness Programs Report, 85% of U.S. fitness facilities provide yoga instruction. Among the top 10 fitness programs, yoga has experienced the most growth as a class offering over the past seven years, with 54% more fitness facilities offering this exercise format in 2002 than did in 1996. In another survey, the 2002 IDEA Group Fitness Trendwatch, the respondents all agreed that yoga was the number one group activity among consumers today.

There is clearly a need for yoga products that address the slippage problems and traction issues that yoga practitioners experience when performing exercises. There are a variety of yoga mats currently available, and some of them address this slippage problem. Most of the non-slip, stickiness, anti-skid, or traction support that these mats claim are a result of vinyl sponge foam, high tack foam/surface, and textured surface material being used for their construction.

However, our initial review did not locate any yoga glove-type or sock-type products currently on the market that addressed slippage problems or traction issues.

### Going to Market

The U.S. yoga market is growing rapidly in terms of new practitioners, services, and products. As the number of yoga practitioners has risen rapidly to nearly 20 million over the last decade, there has also been a major push to provide products and services to this market.

The yoga product market is very competitive. While there are many yoga mat products on the market that address slippage problems and traction issues, Journey's initial research did not locate any yoga glove-type or sock-type products on the market that specifically addressed these concerns.

There is the potential that the Yoga Glove Grip and Sock would face stiff competition from related products such as non-slip yoga mats. However, the potential demand for this type of product may be high, and we feel that the market opportunity for the Yoga Glove Grip and Sock warrants further consideration.

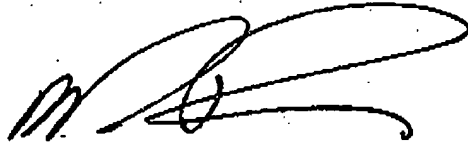
If you would like more assistance from Journey IPD, we can help in the following areas and execute the following list of action items in taking the Yoga Glove Grip and Sock to market:

- Define the overall market for yoga products and accessories (macro)
- Define the overall market for yoga mats and non-slip aides (target population)
- Drill down on the market and industry research
- Define potential competition for the Yoga Glove Grip and Sock product
- Research potential problems, issues, barriers, and other related information

- Identify any safety issues and legal issues
- Develop a project outline and corresponding Gantt chart to track the project progress
- Identify and outline the prototyping and production processes
- Assess the manufacturing capabilities, development plan, and distribution channels
- Perform financial reviews and risk evaluations
- Brand identity creation, logo and product identification, and corporate formation
- Prepare marketing materials and collateral, research, and relevant articles
- Formulate market penetration and sales strategies
- Identify major trade shows and conferences for the yoga accessory market
- Identify major sports glove and equipment manufacturers
- Document and report the efforts and findings

Thank you again for the opportunity to review your product. Please feel free to contact us with any questions and I look forward to hearing from you soon.

Sincerely,



Michael Rasmussen  
Vice President  
Journey IPD



## **Exhibit C**

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Patents, Trademarks & Copyrights  
& Corporate Matters

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Jeffrey L. Weiss\*  
Jeffrey D. Moy\*  
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Janine R. Novak\*  
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Client Name: Judy-LYNNE ALLEY

Date: \_\_\_\_\_

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### Service to be Provided

### Fixed Fee

PATENT APPLICATION PREPARATION

\$ 4000

### Out-of-Pocket Costs

PATENT OFFICE Filing Fee

\$ 370

DRAWINGS (Formal/Informal)

\$ 150/Sheet

### Sub-Total

### Deposit

### Balance

Agreed to:

By \_\_\_\_\_  
Client

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